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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

Arizona Corporation Commission

DOCKETED

FEB 20 2013

BOB STUMP - Chairman
 GARY PIERCE
 BRENDA BURNS
 BOB BURNS
 SUSAN BITTER SMITH

DOCKETED BY

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IN THE MATTER OF THE APPLICATION
 OF BUDGET PHONE, INC. FOR
 DESIGNATION AS A NON-RURAL
 WIRELESS ELIGIBLE
 TELECOMMUNICATIONS CARRIER.

DOCKET NO. T-04079A-11-0362

DECISION NO. 73735

ORDER CORRECTING DECISION
NO. 73627, NUNC PRO TUNC

Open Meeting
 February 12 and 13, 2013
 Phoenix, Arizona

BY THE COMMISSION:

* * * * *

Having considered the entire record herein and being fully advised in the premises, the
 Commission finds, concludes, and orders that:

FINDINGS OF FACT

1. On September 29, 2011, Budget Prepay, Inc. dba Budget Phone, Inc. ("Budget") filed an application with the Arizona Corporation Commission ("Commission") requesting designation as an Eligible Telecommunications Carrier ("ETC") pursuant to section 214(e)(2) of the Communications Act of 1934 and the rules of the Federal Communications Commission including 47 C.F.R §§ 4.201 through 54.207. In its application, Budget requested that the Commission designate it as a wireless ETC in certain wire centers served by Qwest Corporation dba CenturyLink QC for the purpose of receiving federal Universal Service Fund support for low-income customers only (i.e. Lifeline¹). Budget was not requesting high cost support.

2. On October 3, 2012, the Commission's Utilities Division ("Staff") filed its Staff Memorandum and Recommended Order in this docket.

¹ Federal Lifeline Assistance provides discounts on basic monthly service at the primary residence for qualified telephone subscribers. The federal support amount provided to the ETC is \$9.25.

1 3. On October 22, 2012, Staff filed revisions to its Staff Memorandum and
2 Recommended Order.

3 4. On December 12, 2012, the Commission issued Decision No. 73627 approving
4 Budget's application for designation as an ETC in Arizona, subject to Staff's recommended
5 conditions.

6 5. On January 8, 2013, Staff filed a Request for *Nunc Pro Tunc* Order to correct the
7 following clerical errors in Decision No. 73627:

- 8 (a) On page 14 of the Decision, add at paragraph 40, line 12 of the Order at the
9 end of the sentence "or to identify the Federally recognized Tribe on the lands
10 of which he or she resides."
11 (b) On page 17, line 3, Ordering paragraph 3, delete "census block areas" and
12 replace with "designated service area."

CONCLUSIONS OF LAW

12 1. Budget Prepay, Inc. is a telecommunications company as defined in A.R.S. § 40-
13 201(46) and is a "telecommunications carrier" as defined in 47 U.S.C. § 153(51). Budget is also a
14 reseller of Commercial Mobile Radio Service as defined in 47 U.S.C. § 20.3 and A.A.C. R14-2-
15 1201(8).

16 2. The Commission has jurisdiction over the subject matter of the application.

17 3. The clerical errors found in Decision No. 73627 should be corrected *nunc pro tunc*.
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ORDER

IT IS THEREFORE ORDERED that Decision No. 73627 is hereby corrected *Nunc Pro Tunc* to include the following changes:

- (a) On page 14 of the Decision, add at paragraph 40, line 12 of the Order at the end of the sentence "or to identify the Federally recognized Tribe on the lands of which he or she resides."
- (b) On page 17, line 3, Ordering paragraph 3, delete "census block areas" and replace with "designated service area."

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

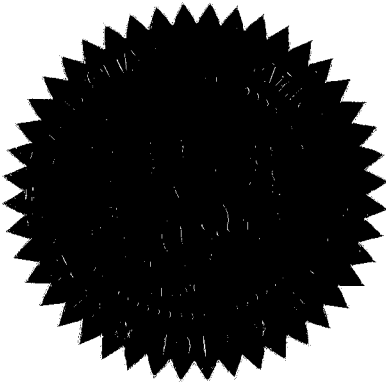
CHAIRMAN

COMMISSIONER

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COMMISSIONER



IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 20th day of February 2013.

JODI JERICH
EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____

YBK:db

1 SERVICE LIST FOR: BUDGET PHONE, INC.

2 DOCKET NO. T-04079A-11-0362

3 Matthew Bingham
4 LEWIS AND ROCA, LLP
40 North Central Avenue, 29th Floor
Phoenix, AZ 85004
5 Attorneys for Budget Phone Inc.

6 Craig A. Marks
7 CRAIG A. MARKS, PLC
10645 North Tatum Blvd., Suite 200-676
Phoenix, AZ 85028
8 Attorneys for ALECA

9 Janice Alward, Chief Counsel
Legal Division
10 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
11 Phoenix, AZ 85007

12 Steven M. Olea, Director
Utilities Division
13 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
14 Phoenix, AZ 85007

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